REMARKS

Claims 1, 5-26, and 30-53 were pending and rejected. In response claims 1, 26, and 52 are amended and claims 54-55 are added. Claims 1, 5-26, and 50-55 are pending upon entry of this amendment. These changes are believed not to introduce new matter, and their entry is respectfully requested. In view of the Amendments herein and the Remarks that follow, Applicant respectfully requests that Examiner reconsider all outstanding objections and rejections, and withdraw them.

Double Patenting

Claims 1, 26, and 52 were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting over claims 1 and 21 in copending application 10/814,317 ('317). Claims 1 and 26 were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting over claims 1, 4, 30, 33, 40, 43, 50, 53, 63, 66, 89, 92, and 99 in copending application 10/814,357 ('357). These rejections are respectfully traversed.

Claim 1, as amended, recites a method comprising:

> identifying an event, the event comprising a user interaction with an article stored on a client device;
> identifying article data associated with the article;
> determining a capture score for the event based at least in part on the article data, the determining comprising:
>> populating one or more fields of an event schema responsive to the article data;
>> associating one or more weights with the one or more fields of the event schema, a weight being a value indicating a relative importance of a field; and
>> generating the capture score responsive at least in part to the weights and contents of the populated fields of the event schema; and
> compiling event data associated with the event responsive at least in part to a comparison of the capture score and a threshold value, the

compiling comprising storing the contents of one or more fields of the event schema.

Claims 26 and 52 contain similar language to claim 1, and all arguments presented below regarding claim 1 equally apply to these claims.

Claim 1 is not obvious over claims 1 and 21 of '317. Claims 1 and 21 of '317 do not recite determining a capture score for an event and comparing the capture score to a threshold value. Additionally, the claims of '317 do not mention an event schema. Rather, claims 1 and 21 of '317 are concerned with capturing an event and determining if the event is a duplicate of a stored event.

Claim 1 is not obvious over claims 1, 4, 30, 33, 40, 43, 50, 53, 63, 66, 89, 92, and 99 of '357. Applicant notes that claims 1, 4, 30, 33, 50, 53, 63, and 66 of the '357 application have been canceled. The remaining claims 40, 43, 89, 92, and 99 do not recite determining a capture score for an event and comparing the capture score to a threshold value. Additionally, the claims of '357 do not mention an event schema. Rather, claims 40, 43, 89, 92, and 99 of '357 are concerned with determining a ranking score for an article.

Based on the above remarks, Applicants respectfully submit that a person of ordinary skill in the art would not find the invention defined by the claims of the instant application to be an obvious variation of the invention defined in the claims of the '317 application or the '357 application.

Response to Rejection Under 35 USC 103(a)

In the Office Action, Examiner rejected claims 1, 5-26, and 30-53 under 35 USC § 103(a). Claims 1, 5-17, 23-26, 30-42, and 48-50 were rejected over U.S. Patent No. 6,480,837 to Dutta in view of U.S. Publication No. 2002/0091972 to Harris. Claims 18-22 and 43-47 were

rejected over Dutta in view of Harris and U.S. Publication No. 2003/0055816 to Paine. Claims 51-53 were rejected over Dutta in view of Paine. These rejections are respectfully traversed.

Claim 1, as amended, recites a method comprising:

> identifying an event, the **event comprising a user interaction with an article stored on a client device**;
> identifying article data associated with the article;
> determining a capture score for the event based at least in part on the article data, the determining comprising:
> populating one or more fields of an event schema responsive to the article data;
> associating one or more weights with the one or more fields of the event schema, a weight being a value indicating a relative importance of a field; and
> generating the capture score responsive at least in part to the weights and contents of the populated fields of the event schema; and
> compiling event data associated with the event responsive at least in part to a **comparison of the capture score and a threshold value**, the compiling comprising **storing the contents of one or more fields of the event schema**.
> (emphasis added)

As can be seen, the claim recites identifying an event comprising a user interaction with an article stored on a client device. For example, an event can be a user opening a file on a client device. A capture score for the event is determined based at least in part on the article data. The determining comprises populating one or more fields of an event schema, associating one or more weights with the one or more fields, and generating the capture score responsive at least in part to the weights and contents of the populated fields. Event data is compiled responsive at least in part to a comparison of the capture score and a threshold value. Compiling event data associated with the event comprises storing the contents of one or more fields of the event schema. The claimed invention beneficially allows for compiling desired event data based on a capture score that can differently weight various types of data associated with the event.

Claim 26 contains similar language to claim 1, and all arguments presented below regarding claim 1 equally apply to claim 26.

Claim 1 is not obvious in view of Dutta and Harris. Dutta discloses a method for ordering uniform resource locators (URLs) that are displayed to a user as a result of a search. Each URL is assigned a popularity weight based on the number of users that select the URL when it appears as a search result. The URLs returned as a result of a search are displayed in order of popularity weight. Dutta, however, does not disclose determining a capture score for an event, where the event comprises a user interaction with an article stored on a client device. Harris discloses a method for predicting certain errors and events associated with the operation of a machine or process. Harris is not concerned with events comprising user interactions with articles stored on a client device.

Accordingly, the references do not disclose "identifying an event, the event comprising a user interaction with an article stored on a client device." Examiner cites Dutta, col. 3, line 60 to col. 4, line 20, as disclosing this element. However, the cited portion merely discloses a client submitting a search request to a server that locates URLs containing matching keywords. Examiner suggests that the submitting of a search request is an event, while a document requested by the search is an article. However, such an event does not comprise a user interaction with an article stored on a client device. When submitting a search request in Dutta, a user interacts with a search form provided by the search engine server 4. Even if one of the URLs returned by the search were a link to a document stored on a client device, a user does not interact with the document when submitting the search query.

The references additionally do not disclose "compiling event data associated with the event responsive at least in part to a comparison of the capture score and a threshold value, the

compiling comprising storing the contents of one or more fields of the event schema." The examiner cites paragraph [0040] of Harris as disclosing this element. However, this portion of Harrison merely mentions compiling event histories for targeted events (block 242). The "threshold" mentioned in Harris is compared to a prediction accuracy, and if the prediction accuracy falls below the threshold, adjustments are made to project monitoring. This threshold is not compared to a capture score and used to compile event data associated with an event. Harris further does not disclose storing the contents of one or more fields of the event schema. Additionally, the events in Harris do not comprise user interactions with articles stored on a client device.

Based on the above remarks, Applicants respectfully submit that for at least these reasons a person of ordinary skill in the art would not find invention as defined in claims 1 and 26 and dependent claims 5-25 and 30-50 to be obvious over the cited references.

In rejecting claims 5-6, 8-9, and 25 Examiner cites a "Dacosta" reference. In rejecting claims 16-17, Examiner cites a "Dayton" reference. In rejecting claims 18-21, Examiner cites a "Payton" reference. Applicant requests clarification of these rejections if they are retained.

Claims 18-22 and 43-47, dependent on claims 1 and 26 respectively, are not obvious over Dutta, Harris, and Paine. Paine does not remedy the deficiencies of Dutta and Harris with respect to the arguments above. Paine discloses a system for recommending search terms to advertisers based on the advertiser's web site and search terms used by other similar advertisers. It is not concerned with determining a capture score for an event or with compiling event data.

Claims 51 and 52 are not obvious over Dutta and Paine for reasons similar to those given above. Dutta does not disclose determining a capture score for an event and Paine is not

concerned with indexing events responsive at least in part to a comparison of a capture score and a threshold value.

Examiner does not address several of the limitations of claim 51. For example, Examiner does not address "associating one or more weights with one or more of the location of the article, the file type of the article, and the access data for the article, a weight being a value indicating a relative importance." All claim limitations must be considered in judging the patentability of a claim over prior art. See MPEP 2143.03.

Paragraph [0116] of Paine is cited as disclosing "indexing the event if the capture score is above a threshold value" in claim 51 and "indexing the event responsive at least in part to a comparison of the capture score and a threshold value" in claim 52. However, this portion of Paine discloses indexing terms (i.e., words) found on a webpage, not indexing events. Additionally, the "term quality" disclosed in Paine is not similar to the capture score as claimed.

Based on the above remarks, Applicants respectfully submit that for at least these reasons a person of ordinary skill in the art would not find invention as defined in claims 51 and 52 and dependent claim 53 to be obvious over the cited references.

Applicant has added new claims 54-55. Applicant asserts that these claims are supported by the specification and are not anticipated or obvious in view of Dutta, Harris, or Paine. Applicant invites Examiner to contact Applicant's representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
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